

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DERRICK STEWART, on behalf of himself, FLSA
Collective and the Class,

Plaintiff,

against

HUDSON HALL LLC, d/b/a MERCADO LITTLE SPAIN,
et al.,

Defendants.

CIVIL ACTION NO.: 20 Civ. 885 (PGG) (SLC)

**TELEPHONE CONFERENCE
SCHEDULING ORDER**

SARAH L. CAVE, United States Magistrate Judge.

A Telephone Conference was held today, September 30, 2020, regarding Plaintiff's Letter-Motion for an anticipated motion to compel, and Defendants' response. (ECF Nos. 46, 48). The Court rules as follows:

1. By **Wednesday, October 14, 2020**, the parties are directed to meet-and-confer regarding the format and timing of Defendants' production of the following information for individuals from January 31, 2014 to the present who worked as cooks and/or performed the same or similar work tasks as Plaintiff at Mercado Little Spain: (1) name; (2) contact information; (3) period worked; (4) hours worked; and (5) wages paid. At this time, Defendants are not required to produce documents in their possession containing such information. See Huggins v. Chestnut Holdings Inc., No. 18 Civ. 1037 (PAC), 2019 WL 2616252, at *6 (S.D.N.Y. June 25, 2019). In the event that the number of cooks exceeds 200, the parties shall meet and confer regarding a proposed method for a sampling of

individuals for which the information listed above must be provided. Plaintiff moved for reconsideration of this procedure, which the Court DENIED.

2. Plaintiff withdrew Document Request Nos. 15 and 21, and Interrogatory No. 10.
3. Plaintiff's requests as to Interrogatory Nos. 6 and 9, and Document Request No. 18 are DENIED. Plaintiff confirmed that Defendants' Rule 7.1 Corporate Disclosure Statements are sufficiently responsive to those requests.
4. Regarding Plaintiff's request to compel Defendants to produce a Rule 30(b)(6) witness to depositions as to the proposed list of thirteen (13) topics, by **Wednesday, October 14, 2020**, the parties are directed to meet-and-confer to narrow Topics 1, 4, 5, 6, 10, 11, and 12 and schedule a deposition or depositions on these topics. The Court finds that Topics 7, 8, 9, and 13 are premature and Defendants need not produce a Rule 30(b)(6) witness as to these topics at this time, without prejudice to Plaintiff renewing his request for a Rule 30(b)(6) deponent on these topics if a class and/or collective action is certified.

The Clerk of Court is respectfully directed to close ECF No. 46.

Dated: New York, New York
September 30, 2020

SO ORDERED


SARAH L. CAVE
United States Magistrate Judge